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RELATION OF THE EPISCOPACY
TO THE
GENERAL CONFERENCE.

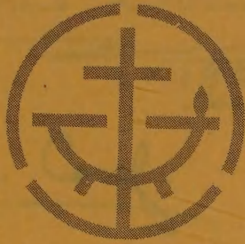
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BY THE LATE
BISHOP W. L. HARRIS, D.D., LL.D.



Methodist
Historical Society

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PREFACE.

SEVERAL years ago the substance of this book was given by the late Bishop Harris to the faculty and students of Drew Theological Seminary in the form of lectures. The lectures seemed to all who heard them so clear and convincing that their publication was immediately suggested. We have reason to believe that Bishop Harris had revised the manuscript for publication before his death. At our request it has been placed in our hands by Mrs. Harris, and we have carried it through the press. Very few verbal changes have been made, and no changes whatever affecting the sense. As an historical discus-

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sion of the relation of the Episcopacy to the General Conference it will receive, as it deserves, the careful consideration of the Church. We commend it heartily to all Methodists.

G. R. CROOKS,
S. F. UPHAM.

DREW THEOLOGICAL SEMINARY,
March 19, 1888.

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THE EPISCOPACY

AND

THE GENERAL CONFERENCE.

CHAPTER I.

HISTORICAL.

THE history of Methodism in America, considered in its legislative and administrative departments, very naturally divides itself into five periods, each marked by distinctive characteristics.

The *first* period begins in the year 1766, when Philip Embury began preaching in New York, and continues to the Christmas Conference of 1784, at which time the Church was formed into a distinct ecclesiastical organization.

The *second* period begins with the organization of the Church and extends to near the close of 1792, when the first General Confer-

ence of the Church was held, unless that be called a General Conference at which the Church was organized.

The *third* period extends from 1792 to 1812, when the first delegated General Conference was held, in pursuance of a plan made to that intent by the General Conference of 1808.

The *fourth* period extends from 1812 to 1872, when lay delegates were first admitted to the General Conference. By this action the composition and constituency of the General Conference were materially modified, but no change was made in the scope of its authority or in its methods of administration.

The *fifth* period extends from 1872 to the present time.

During the first period Methodism in America was closely identified with Methodism in England, not only in its doctrines, discipline, and purposes, but in its external form and government. Mr. Wesley, than whom the world has scarcely produced a greater or better man, ruled both preachers and people in all their re-

lations to Methodism according to the dictates of his own judgment. In his conferences with his preachers he gave careful consideration to the opinions of others, and then decided every thing himself. Mr. Asbury was Mr. Wesley's first general "Assistant" in America, having been appointed to that office in 1771. Two years later he was superseded by the coming of Mr. Rankin, who was Mr. Asbury's senior both in years and in the ministry, and who from his intimate association with Mr. Wesley was more familiar with the methods and spirit of his administration. In 1778 or 1779, because of the disturbed relations between Great Britain and her American colonies, and because of his strong sympathy with the former as against the latter, Mr. Rankin abandoned his work in America and returned to England. Mr. Asbury, who warmly espoused the cause of the colonies, and identified his fortunes with his flock in the wilderness, was, by the action of the preachers, re-instated in the superintendency, from which he had been displaced by the

coming of Rankin, and continued to discharge its duties with marked ability, heroism, and success, till Mr. Wesley's societies in America were constituted a separate and independent ecclesiastical organization under the style and title of the Methodist Episcopal Church; being the first Episcopal Church with Protestant principles organized in this land.

During this period the authority of Mr. Wesley and his Conference extended to the preachers and people in America, and the doctrines and discipline of the Methodists, as contained in the Minutes of Mr. Wesley's Conferences in England, were formally acknowledged as the sole rule of conduct for the preachers laboring in connection with Mr. Wesley in America. Mr. Asbury and Mr. Rankin, as his general "Assistants," exercised the chief authority in this country in the name and place of Mr. Wesley, and by his appointment and under his direction. As did Mr. Wesley in England, so did his general assistants here; after hearing

the discussions of the preachers, they decided all questions which came before them. Such were the order and administration which prevailed during the first period of Methodist history in America.

We now approach the celebrated "Christmas Conference" of 1784. The Methodists both in England and in this country had, until now, one form of worship and discipline, but the independence of the American colonies, confirmed by the peace of 1783, was the occasion of an extraordinary change. During the War of the Revolution the Methodist societies in America were almost wholly deprived of the ordinances of baptism and the Lord's Supper; for the ministers of the Established Church, on whose offices our people were dependent for these ministrations, had mostly left their parishes; some of them were silenced, others left off preaching because they could not procure a maintenance by it, and many more, perhaps a large majority of all, being still loyal to the British crown had gone over into

its dominions. In this emergency the Methodists in America sought the advice and assistance of Mr. Wesley; and in response he declared that his scruples were now at an end, and that he conceived himself at perfect liberty to exercise that right which he doubted not God had given him. He deemed it a fitting opportunity to relinquish the power he had hitherto exercised in America, and to provide for the organization of an Episcopal Church which should be as independent of the English hierarchy as the country was of the English crown.

Accordingly, Mr. Wesley prepared and printed a "Sunday Service for the Methodists in North America," comprising not only a liturgy and hymns, for public worship, for the administration of the ordinances of baptism and of the Lord's Supper, for the solemnization of matrimony, and the burial of the dead, but also rubric and ritual prescribing "The Form and Manner of Making and Ordaining Superintendents, Elders, and Deacons," conforming the

whole substantially to the service of the Church of England, as prescribed in her Book of Common Prayer for like offices and administrations, substituting in this service, however, the words "superintendents" and "elders" for the words "bishops" and "priests," wherever these words occurred in the English Prayer Book. Then being assisted by several other presbyters of the Church of England, and probably using in the ceremony the very ritual he had prepared for his ideal Church yet to take form in this land, he solemnly ordained Dr. Coke, already a presbyter in the Established Church, to the office of superintendent; and having delivered to him letters of episcopal orders, dispatched him to America, to organize his distressed people into an independent Episcopal Church, believing, as he declares, the episcopal form to be both scriptural and apostolic.

On the arrival of Dr. Coke in this country a Conference of the preachers was called for "Christmas" week of 1784, and the official

Minute says: "At this Conference we formed ourselves into an independent Church, and following the counsel of Mr. Wesley we thought it best to become an Episcopal Church, making the episcopal office elective, and the elected superintendent amenable to the body of ministers and preachers."

After Mr. Wesley's letter, appointing Dr. Coke and Mr. Asbury superintendents over the Methodists in America, had been read and analyzed and cordially approved by the Conference, a question arose as to the name by which the Church should be called, when John Dickins proposed that we call ourselves "The Methodist Episcopal Church," and the motion was carried without a dissenting voice. The preachers then unanimously elected Dr. Coke and Mr. Asbury to the office of superintendent, and, after Mr. Asbury had been ordained first a deacon and then an elder, he was solemnly ordained a superintendent by Dr. Coke, who was assisted in the service by the elders present.

Thus, in pursuance of the counsel and advice of Mr. Wesley, and in completion of plans which he had formed and partially executed in England, the Methodist Episcopal Church was organized. The whole case is thus stated by a distinguished and representative Wesleyan minister, the Rev. Dr. Dixon, now gone to his rest. He says: "When the United States had effected their emancipation from the mother country Mr. Wesley felt himself at liberty to act with perfect freedom in the new territory, and, we may say, to develop his views and opinions fully, and if we mistake not it is to the American Methodist Episcopal Church we must look for the *real* mind and sentiments of this great man. Obstructions removed, he instantly seized the opportunity of appointing an entire Church system on the principle of moderate episcopacy; and if we may judge of the wisdom and piety of the design by its usefulness and success we shall be prepared to consider it most providential. No Church in modern times has made any thing like the progress which

is seen in this branch of our community." This is the voluntary and well considered testimony of a distinguished presbyterial Methodist to the Wesleyanism of our episcopacy and the excellency and efficiency of our Church polity.

The first regular Annual Conference of Mr. Wesley's preachers in America was held in 1773, just after the arrival of Mr. Rankin as general "Assistant." Thenceforward till 1784 the preachers all met annually at the same time and place for the transaction of their Conference business. But as the field of labor spread in every direction it was not practicable for the preachers to meet annually in one place; hence, beginning in 1785 and continuing till the General Conference of 1792, several Conferences were held in the same year and in different parts of the country. The business done in these several Conferences in any given year was arranged in the Minutes as if it had all been done at one time and place. All legislation for the Church was done in these Conferences,

but the preachers meeting in one Conference could not make rules and regulations for the others; so that the action of one Conference must be concurred in by the others before it would become binding on the whole. These bodies could not easily harmonize, and the union and integrity of the Church were imperiled by this mode of legislation. An attempt was made to avoid some of the embarrassments arising from this method of procedure by the organization of a council to be composed of the bishops and the presiding elders, whose every measure must receive the unanimous support of the council in order to its adoption, and would then be binding only on those Conferences in which it should be approved by a majority of the preachers. Though this plan had received the sanction of a majority of the preachers in the several Annual Conferences, it soon appeared that its practical working produced more discordant results than did the plan whose defects the council was devised to remedy; so that the council became distasteful

and obnoxious to both bishops and preachers, and was abandoned by the unanimous consent of all parties; and a General Conference, to be composed of all the preachers in full connection, was called to meet in Baltimore in November, 1792. The meeting of this Conference closes the second period of our history.

The General Conference of 1792 was the first of a series of quadrennial General Conferences which has continued till this time. In 1792 all legislation in the Annual Conferences ceased, and thenceforth the rules and regulations for the government of the Church were made by the General Conference.

From the year 1792 to the year 1804, both included, all the preachers in full connection with the Annual Conferences were members of the General Conference. By a rule made in 1804 it was provided that thereafter a preacher must have traveled at least four years, and be in full connection with an Annual Conference at the time of the session of the General Con-

ference, to be eligible to membership in that body, and the General Conference of 1808 was thus constituted.

This method of constituting the supreme council of the Church, and its only legislative body, was objectionable from the first, but it became more and more so as the Church multiplied and grew. It gave to those Conferences within or near which the General Conference met undue advantage, both in numbers and influence, in the counsels and legislation of the Church. It may be of interest to note, as an illustration of the working of this system, that when the General Conference of 1804 met in Baltimore, of the 112 members of that body 70 were from the Philadelphia and Baltimore Conferences alone; and the General Conference four years later was composed of 125 members, of whom 63, or a majority of the whole, were from the same two Conferences. The reason for this disparity is obvious. Preachers from Baltimore, Philadelphia, and other Annual Conferences near the place of

holding the General Conference could easily attend its sessions, while those from Conferences in the West, South-west, and North-east, owing to the great distances and the expense of travel, could not be present without much difficulty. In view of this inequality of attendance, and for other reasons, the General Conference of 1808 deemed it wise and prudent to make some new provision for membership in the General Conferences thereafter, being specially moved thereto by the action of a majority of the Annual Conferences.

Up to this period in our history the powers of the General Conference to make rules and regulations for our Church were unlimited, and for its action it was amenable to no earthly tribunal; but the General Conference of 1808 provided that thereafter the General Conference, instead of being composed of all preachers of four years' standing in the Conferences and possessing *unlimited* powers, should be a *delegated* body with *limited* powers. And in its conventional capacity, being composed of all

the elders of the Church, the General Conference of 1808 did institute a delegated General Conference, transferring to and vesting in the then created body all the power which the whole body of elders possessed to make rules and regulations for the Methodist Episcopal Church, with certain specified exceptions embraced in six restrictive articles. So that the power to make rules and regulations for the Church was specifically limited by the same power that conferred it.

It is perhaps worthy of note that, from the organization of the Church onward to and including the General Conference of 1808, the bishops of the Church were members of the General Conference, inasmuch as they were traveling preachers, and as such were entitled to all the rights and privileges of other members of that body, and they were both in law and fact a component part of the law-making power of the Church. Their membership in the General Conference, and their consequent duties and responsibilities, sufficiently explain the frequent

mention of their names in the Journals of that body all through its earlier sessions, in which they are represented as actively participating in its proceedings. Of all such rights and privileges they were deprived by the plan for a delegated General Conference. They are appointed by the organic law of the General Conference to preside in its sessions, but in determining questions before that body they have neither voice nor vote; nor may they speak on any subject but by the courtesy of the body itself. This brings us down to the close of the third period of our history.

The first delegated General Conference met in New York in 1812, and was composed of delegates chosen by the Annual Conferences severally according to a given ratio of representation. It was the legitimate successor of the General Conference of 1808, but it did not inherit all the powers of its predecessor. It met and acted in pursuance of and subordinate to an organic law enacted by the General Conference of 1808, and which had been accepted,

ratified, and confirmed by the several Annual Conferences in acting under it and in conformity to its provisions; which organic law is fundamental, and has been called, not inappropriately, a *constitution*. This instrument prescribes the ratio of representation and the mode of choosing the delegates; the organization of the General Conference and its manner or method of action. It comprises also the grant of powers to make rules and regulations for the Church, and prescribes the limits within which such powers may be exercised; and enthrones as a part of the constitution of the Church, and unalterable by the sole action of the General Conference, all those rules and regulations found in different parts of the Book of Discipline which are excepted out of the grant of power and are protected by the restrictive articles. Whether this instrument be called a constitution or not, yet it most obviously is such to the General Conference, and it is absurd to deny it. By what authority does a given number of ministers and laymen

occupy seats as delegates, or the bishop the chair as president, of a General Conference but by this constitution? Under the authority of that instrument the delegates composing every General Conference since 1808 have been chosen and commissioned, and have taken their seats as legislators for the Church. But for the rights conferred by this constitution those quadrennial gatherings of ministers and laymen would not have been General Conferences of the Methodist Episcopal Church. The limitations and restrictions are part and parcel of the very law creating and empowering a delegated General Conference, and are therefore a constitutional law of binding force, sacred and inviolable.

There may be honest differences of opinion as to the true construction and meaning of particular provisions of this fundamental law, yet this does not alter or affect, when taken in their true meaning, the binding force of the restrictions themselves. The General Conference may work up to the boundaries of its powers as defined in the limiting

terms of the organic law, but it may go no further. Here it is confronted by an impassable barrier to its authority, to overleap which would be usurpation and revolution.

The General Conference may not change or alter our Articles of Religion; may not admit a greater number of delegates than the constitution allows; may not do away Episcopacy nor destroy the plan of our itinerant general superintendency; may not change our General Rules; may not deprive our ministers or members of the right of trial and appeal; and may not appropriate the proceeds of the Book Concern and of the Chartered Fund otherwise than as prescribed in the restriction. The General Conference of 1808 and any one of its predecessors had ample power to do any one or all of these prohibited things, and there is a power still in the Church which may lawfully do all these things, except to change our Articles of Religion, but that power does not reside in the delegated General Conference. The power

to do these things was specifically excepted out of the grant of powers to that body, and the restrictive articles enacted by the convention of the whole body of the eldership of the Church, forbidding the General Conference to do these things, are as truly a constitution to the Church and to that body as the Constitution of these United States is a law unto Congress and to this nation. In short, if this section does not constitute the organic law of the General Conference in all its departments, then we have *no* constitution, and the General Conference is lawless. But it is not so. These restrictions are of binding obligation, and all propositions to alter or change this organic law itself, or whatever is under its protection, must go back to the constituency of the General Conference for its concurrence, in such manner as is made and provided in the constitution itself.

The history of the origin of this constitution, and the declared necessity and purposes of the instrument, show its importance in the

judgment of the men who framed and adopted it. On the 10th day of May, 1808, on the motion of Stephen G. Roszel, of the Baltimore Conference, seconded by William Burke, of the Western Conference, a committee of fourteen, two from each of the seven Annual Conferences then existing, was appointed to draw up and report to the Conference regulations for the government of future General Conferences. This committee consisted of Ezekiel Cooper and John Wilson from the New York Conference, George Pickering and Joshua Soule from the New England Conference, William McKendree and William Burke from the Western Conference, William Phœbus and Josiah Randall from the South Carolina Conference, Philip Bruce and Jesse Lee from the Virginia Conference, Stephen G. Roszel and Nelson Reed from the Baltimore Conference, and John McClaskey and Thomas Ware from the Philadelphia Conference.

This committee submitted its report after six days' deliberation, and from the character of

the report itself, and from the declarations of the committee concerning its purposes, it is plain that the able and experienced men who were chiefly concerned in framing the plan for a delegated General Conference perceived the fitness, and, indeed, the obligation, to give to the then existing economy of the Church a character of stability which should place it beyond the power of a mere majority of the delegated General Conference to change the fundamental principles of its doctrines or discipline. Indeed, this purpose is very clearly and fully set forth in the report of the committee. In declaring the important aims to be accomplished by a delegated General Conference with limited powers, the report says: "Whereas it is of the greatest importance that the doctrines, form of government, and General Rules of the united societies should be preserved sacred and inviolable; and whereas every prudent measure should be taken to preserve, strengthen, and perpetuate the union of the Connection; therefore your committee, upon

the maturest deliberation, have thought it advisable that the third section of the Discipline should be changed as follows:" Then follows the instrument providing for a delegated General Conference, and defining and limiting its powers, substantially to the same effect, and mostly in the precise words and phrases of that document as it stands in our Book of Discipline to-day.

The expressed purposes of this plan were twofold: 1. To preserve, strengthen, and perpetuate the union of the Connection; and, 2. To preserve sacred and inviolable the doctrines, moral discipline, and form of government of the Church; and these objects are declared to be of the *greatest importance*. The details of the plan by which it was proposed to secure these important ends were agreed upon, after the maturest deliberation, by one of the ablest committees ever constituted in the history of Methodism; and every provision of the plan thus framed was adopted by the General Conference, with marvelous unanimity, and sub-

stantially as it came from the hands of the committee.

The constitution shows that it was not indeed thought proper to impress a feature of absolute immutability on the system in regard even to what were deemed its fundamental principles, yet it was judged expedient to settle it on such a basis as would render any change in these respects difficult, and, indeed, impracticable, except under such a conviction of its propriety and necessity as would make the demand for it well-nigh unanimous. Changes in the organic law in the manner prescribed in 1808 were much less easily accomplished then than now. Then no change could be made without the consent of each and every Annual Conference; and if the ratio of representation had not been shielded by one of the restrictive articles the original plan of changing the constitution might have continued until this day. It came to pass, however, that when, on account of the growth of the Church and the large increase of her ministers, the

General Conference had become so large a body as to render a change in the ratio of representation very desirable, if not necessary, a single Conference threw itself squarely against the proposed change and defeated it, though every other Conference of the Church favored it; whereupon a measure was set on foot to alter the constitution itself, so that changes in that instrument might be carried by *three fourths* of the aggregate vote of all the members of the several Annual Conferences present and voting thereon, rather than by the concurrent vote of a majority of each and every Annual Conference. This alteration was consummated in 1832, so that now changes in the organic law are much more easily accomplished than when the delegated General Conference was first constituted, though the aggregate vote in the Annual Conferences required to carry an amendment of the constitution is larger than was required for that purpose in the original law. When making this change, however, another change was also made by

which the Articles of Religion became absolutely unchangeable by any action whatsoever of the General Conference or of the Annual Conferences, whether taken separately or concurrently ; thus giving the attribute of immutable stability to our doctrinal foundations.

CHAPTER II.

WHAT IS EPISCOPACY?

IN providing for a delegated General Conference it was intended to secure two results, which were considered by the entire eldership of the Church of the greatest importance: *First*, to preserve, strengthen, and perpetuate the *union* of the Connection; and, *second*, to preserve sacred and inviolable the doctrines, moral discipline, and form of government of the Church. The purpose to preserve our form of government sacred and inviolable finds its answering and pertinent provision in the third restrictive article of the constitution, and is in the words following; namely,

“They [the General Conference] shall not change or alter any part or rule of our government so as to do away episcopacy, or destroy the plan of our itinerant general superintendency.”

One obvious purpose of the General Conference of 1808 was to perpetuate sacred and inviolable the Episcopal form of Church government, and that purpose is expressed in this restriction. The delegated General Conference is herein forbidden to change or alter any part or rule of our Church government so as to give to the Church a Presbyterial form of government, a Congregational form of government, or any other than the Episcopal form of government. We were constituted an Episcopal Church in the beginning, and it is provided in our organic law that we must continue such until the Annual and General Conferences, by concurrent action in the manner prescribed, shall authorize the transformation.

The General Conference shall not do away Episcopacy.

WHAT IS EPISCOPACY?

Episcopacy is the government of bishops in the Church. It exists in three cardinal forms, with sundry subordinate modifications.

In the Church of England and in the Protestant Episcopal Church in America the churches, or parishes, as they are called, of a certain territory are united in one ecclesiastical organization called a diocese. Each diocese is in charge of a bishop, whose jurisdiction is limited to his own diocese. In England the dioceses are again united into two provinces, each being under the charge of an archbishop—the Archbishop of Canterbury and the Archbishop of York—of whom the former has precedence in ecclesiastical rank. There are no archbishops of the Protestant Episcopal Church in the United States. Their bishops are all of equal authority, each ruling his own diocese independently of any ecclesiastical superior.

In the papal Church there is the same union of parishes into dioceses, each diocese being under the authority of its own bishop. And to a very considerable extent there is likewise the union of dioceses into provinces, presided over by archbishops. But archbishops, bishops, and all other dignitaries of the Roman hierarchy are

themselves appointed by, and are amenable to, one spiritual father and head, the Pope of Rome, from whom as the supreme and assumed infallible head of that Church they derive all their authority.

The principles of this diocesan episcopacy are, that "God has established an order of men as ministers of his Church who have exclusive right to the ministerial functions of that Church, who perpetuate themselves, and who are arranged in three orders by divine appointment, the supreme power within a given jurisdiction being vested in one man, who, when once raised to his episcopal prerogatives, becomes invested, *by a divine right for life*, with exclusive powers to admit to membership in the Church by the rite of confirmation, and to create and commission all ministers of the Gospel for the entire circuit of his episcopate." This presents at least the germ of this system, the growth and details of which it would not be easy to describe or define.

Methodist episcopacy is not a diocesan epis-

curacy, nor are the general superintendents of our Church diocesan bishops. They are itinerant bishops, and their jurisdiction is general and concurrent; that is to say, they are not allotted to any particular territories or districts, but exercise their functions of supervision alike over all the preachers and the churches of the denomination. In a journey of eighteen months, in which I made the circuit of the world, I was not at any moment, when in the presence of a Methodist preacher or a Methodist church, or within any Methodist Conference or mission field of Asia or of Europe, outside of my jurisdiction as a general superintendent of the Methodist Episcopal Church.

Nor is it the doctrine of the Methodist Episcopal Church that her bishops are a third order in the ministry in any such sense as that doctrine is held by the other episcopal Churches which have been named. At the same time it must be agreed that the term "order" is ambiguous, and whether or not it may properly be applied to the bishops of our Church, as in-

dicating a class or grade of ministers distinct *from* and superior *to* the elders of the Church, must be determined entirely by the meaning attached to the term itself when it is employed. If the term be understood as describing such an order in the ministry as established by the express authority of God, and as essential to the existence of a Christian Church and a valid administration of the ordinances, then Methodist episcopacy is not held in the judgment of our Church to represent a third order in the ministry. The Methodist Episcopal Church not only admits, but asserts and maintains, and has always so done, by her highest and her humblest authorities, and by all the grades between, that in this sense bishops and elders are inherently and essentially the same order in the ministry. Its episcopacy was originally and avowedly instituted on this principle, and still rests on this doctrine. In 1844 the bishops of our Church, all of whom have long since laid their well-worn armor by, in their address to the General Conference said :

“With our great founder, we are convinced that bishops and presbyters are the same order in the Christian ministry, and this has been the sentiment of the Wesleyan Methodists from the beginning.” To the soundness of this doctrine I may here say, and not with bated breath, that the present bishops of the Methodist Episcopal Church give a most hearty and unanimous consent.

At the same time it must also be equally held as the doctrine of our Church that this original and essential equality does not render it unlawful for elders, in circumstances which to them appear to make it expedient, to delegate to one of their own order a more extensive power of oversight, or to commit to some one or more of them, as organs of the body, a larger executive part of that power which originally and fundamentally was common to them all. And this is the real source and spring of the power and authority of Methodist episcopacy. So that our episcopacy is derived, dependent, and responsible. Its authority is a

delegated authority only, and may be modified just as the body of the eldership from which it was derived shall see proper, and that, too, without any infringement on the rights of the bishops themselves.

Now by just so far as this delegated authority gives to the bishops a more extensive oversight and a wider sweep of executive duties, by just so far, and no farther, may they be considered a third order in the ministry of our Church. In other words, the bishops of the Methodist Episcopal Church are an order of ministers distinct from and superior to other elders of the Church in that extent of jurisdiction, and in those executive duties delegated to them by the body of elders, and in no other respect. Such is Methodist episcopacy as to the source of its authority, and as to the sense in which it is an order in our ministry distinct *from* and superior *to* the eldership of the Church.

But what is the episcopacy which the General Conference may not do away without the

consent or concurrence of *three fourths* of the entire eldership of the Church? Undoubtedly the Methodist episcopacy of 1808. And what was Methodist episcopacy in 1808? The right answer to this question is important in interpreting the third restrictive article. Whatever Methodist episcopacy signified to the Methodist preachers of 1808, that is its scope and meaning in the constitution of the General Conference. The purpose of this article, if it had a purpose at all, was to conserve and perpetuate Methodist episcopacy with every essential element of its nature and attribute of its authority by which it was known and identified when the restriction was adopted. All other kinds or forms of episcopacy were foreign to their thoughts or conceptions so far as that office stood related to the Methodist Church. It would be idle to say that, so long as the name of the office be retained, though every attribute or quality of the office itself be done away, the restriction is not broken; and the same would be true in case of any important or material

modification of the functions and duties of the office, or of the accountability of its incumbents. The General Conference of 1808 understood by the term "episcopacy," as used in this restrictive article, the government of bishops in the Methodist Episcopal Church; of bishops chosen from the eldership, elected and commissioned according to a specific manner and form, charged with well-defined duties and responsibilities, for the faithful fulfillment of which they were strictly accountable to the General Conference.

1. The bishops were chosen by the General Conference. They had always been so chosen; they were so chosen in 1808, and this method of choosing the bishops of the Church was to continue. While the bishops derive their authority from the body of the elders, as does also the General Conference itself, still the eldership has authorized and required the delegated General Conference to elect the bishops. To fail to do so would do away episcopacy, so that the General Conference is bound to per-

petuate episcopacy by electing from time to time a sufficient number of suitable men to the office. Nor can this power or duty be transferred by the General Conference to any other body or agency. Its own powers to perpetuate the episcopacy are delegated powers, and may not, therefore, be transferred.

2. The bishops of the Church had always been *ordained* before entering upon the duties of their office. The episcopacy of 1808 was one into whose functions every incumbent from Coke to McKendree had been inducted by ceremonies of solemn consecration. The record shows that both Coke and Asbury were received as superintendents or bishops by the Christmas Conference of 1784, not on the ground of their election alone, but because that body was entirely satisfied of the validity of their ordination. Inasmuch, therefore, as a valid ordination of these men to the episcopal office was among the things concerning which the Conference must be fully satisfied as a condition precedent to receiving them as

bishops, it is plain that, to the understanding of the Conference which organized the Church, a valid ordination was necessary to a valid episcopacy. And in the absence of even a shadow of proof to the contrary it is fair to conclude that this continued to be the doctrine, as it certainly was the practice, of the Church; and that an *unordained* episcopacy was never conceived of or designed by the General Conference of 1808, and therefore it is not within the province or power of a delegated General Conference to do away with the ordination of the bishops.

3. To the bishops belonged the exclusive authority to ordain the ministry of the Church. No other person or collection of persons had ever ordained a minister in the Methodist Episcopal Church. Such ordinations had been always and exclusively performed by the bishops of the Church. The law of the Church from the beginning has anticipated and provided for a possible, though a very improbable, emergency in which the Church might find

itself without a bishop, but even in such an event presbyterial ordination to the ministry is not allowed ; but it is provided in such a contingency that the General Conference shall elect a man to the episcopacy, and that elders appointed by the General Conference shall ordain him. So that the entire history and legislation of the Church show that to the episcopacy belonged the exclusive right to ordain deacons and elders in the Church. Bishop Hamline, in his great speech in the General Conference of 1844, which has been so plentifully quoted, and not unfrequently perverted by the assailants of Methodist episcopacy, says : “As to the episcopacy which we may not do away, the power to ordain is essential to its being.”

4. The bishops had always been chosen and consecrated with a view to a *life-long* service in the episcopacy. Such had been the unvarying practice of the Church, and such was the universal understanding of both preachers and people, from the beginning up to the General

Conference of 1808, so that a limited term of service not running through the *life-time* of the incumbent was foreign to all their conceptions of episcopacy. There never had been any thing in the history of the Church, in its legislation, its rubrics, or ritual, that hinted even by remotest intimation that the elections and ordinations to the episcopacy were any less permanent than were the elections and ordinations to the eldership; and it would be now just as inconsistent with the law and usages of the Church, and no less incongruous with her entire history, to deny a life tenure to her episcopacy as to deny a life tenure to her eldership.

Whether there might be a Methodist episcopacy whose bishops should not be chosen by the General Conference, who should not be inducted into office by solemn ordination, who should not have the exclusive right to ordain the ministry of the Church, and whose term of service should be limited to a definite number of years, it is not needful now to determine;

but such would not be Methodist episcopacy as it was understood and held by the men who planned the delegated General Conference and framed its constitution. No bishop of the Church had ever come to his office without election by the General Conference, without ordination, without authority to ordain the ministry, and without having been chosen with a view to a life-long service in the office; these were attributes of Methodist episcopacy when it was enshrined in the organic law of the Church; and for the General Conference to do them, or any of them, away without the concurrence of the Annual Conferences in the manner provided in the constitution, would be an infraction of the fundamental law of the Church. The episcopacy as it was in 1808, with every form of authorization and recognition, with every attribute of authority and responsibility, must remain unchanged and unchangeable, except by the consenting action of the preachers in the Annual Conferences.

The bishops themselves had always been

amenable to the General Conference of the preachers; and when the delegated General Conference was created this amenability in its completest measure was transferred from the body of the eldership to the delegated body, and the bishops of the Church are to-day, as always, answerable to the General Conference for their moral and ministerial character and conduct, and for their official administration; but the episcopacy itself, as an institution of the Church, is not answerable to the General Conference, nor liable to be abolished, nor materially modified by its action. Elections to the office are committed to the General Conference, and if that body should presume to so far omit or neglect the exercise of its power in this respect as to leave the Church without bishops, or with a number entirely inadequate to the proper episcopal supervision of the Church, such non-action would be revolutionary; but when the General Conference chooses a man to the episcopacy it may not impair his authority nor diminish the responsibilities of

his office. Amenability applies to the officer and not to the office. The General Conference may depose the officer, but may not abolish the office. The General Conference may at its pleasure remove any bishop from office, for any cause which to it may seem sufficient to require or justify his removal, whether it be for malfeasance, for misfeasance, or for nonfeasance in office, but the authority to do this carries with it no power to abolish the episcopacy itself; that, as an institution of the Church, must be retained both for substance and form as it existed in 1808 till it shall be changed by the concurring action of both the General and Annual Conferences.

The third restrictive article conserves also the plan of our itinerant general superintendency. For eight years, covering the period from 1784 to 1792, our system of government, including its plan of general superintendency, had annually passed the ordeal of all the Conferences, which by concurrent action could have changed or abolished it at pleasure. After

ward it passed the careful scrutiny of five quadrennial General Conferences, composed of all the preachers in the Connection, with full authority to create or to destroy at will. The General Conference of 1808, made up of godly men, who had carefully observed our plan of work and its results, and who were fully satisfied with the principles and the utility of the system, in parting with its powers, and committing them to a delegated body, proposed by constitutional restrictions to ratify and perpetuate the doctrines, moral discipline, and government of the Church; and especially to conserve and perpetuate the episcopacy of the Church as an itinerant general superintendency; as through such superintendency the General Conference would be able to execute its rules and regulations, and carry the whole system of our itinerant ministry into complete effect.

The plan of our itinerant general superintendency finds its full and complete statement in the duties of bishops as they were set forth in the Discipline, and existed in the well-estab-

lished usages of the Church at the time the constitution was adopted. Whatever the bishops were required to do in overseeing and carrying forward the work of the Church belonged to and constituted a part of the plan of the general superintendency.

The phraseology of the restriction implies that at the time of its adoption there was already an existing and an established government in operation, whose character and methods were defined in rules found in the Discipline and usages of the Church; and no part or rule of the then existing government might be altered or changed so as to destroy the plan of our itinerant general superintendency.

It is to be observed that not only may not the General Conference change or alter this restrictive article, but it may not change or alter any part or rule of the Discipline, wherever found, which constitutes any part of the plan of episcopal supervision. It is therefore only necessary to ascertain the plan of our itinerant general superintendency in operation

at the time this restriction was adopted, to determine the plan which must abide in its entirety until modified or abolished by the concurring action to that intent of both the Annual and General Conferences.

What was the plan of superintendency when the constitution of the delegated General Conference came into operation? The answer to this question is to be found in the duties of a bishop as they were declared in the Discipline and in the well known and established usages of the Church. Among the duties thus enjoined upon a bishop, and which he might not omit or neglect except at the peril of his official standing, the following may be mentioned: 1. To preside in the Conferences; 2. To form the districts according to his judgment, and to choose and appoint the presiding elders; 3. To fix the appointments of the preachers; 4. To travel through the Connection at large; 5. To oversee the spiritual and temporal interests of the Church; 6. To consecrate bishops and to ordain elders and deacons. This was the plan

of our itinerant general superintendency as it was defined and enjoined by the law of the Church, and as it was in active operation when the restrictive article was enacted; and it is therefore this plan which the General Conference may do nothing to destroy.

SUPERINTENDENCY is the generic term in all this business, and the specific duties prescribed and enjoined are subordinate thereto, and describe and limit the sphere of its action.

1. Superintendency is the act of superintending; it is care and oversight for the purpose of directing, and with *authority* to direct. It is the duty of the bishops to oversee the spiritual and temporal interests of the Church.

Theirs is a *general* superintendency; that is a superintendency having a common relation to the entire Church. According to the plan of superintendency, the bishops have a common authority to appoint the preachers to their several stations and circuits wherever they may preside in an Annual Conference—and the authority to preside and appoint is common to

all the bishops in every part of the Connection—and so to exercise throughout the Church, at all times, those supervisory powers with the duties of which they are charged by the law of the Church.

2. The scope and purpose of the third restriction, so far as it relates to the point under immediate consideration, have received an authoritative construction and interpretation by the concurrent action of the General and Annual Conferences, and with a marvelous unanimity, so far as any thing to the contrary appears.

When, in 1856, it was deemed desirable to appoint a bishop for Africa, limiting his episcopal labors and administration to that country, it was plainly perceived that the General Conference had no authority to limit the jurisdiction of a bishop to any particular country or district; and from this opinion there was no dissent. It was the unanimous judgment of the members of the General Conference then in session that, until the constitution should be amended to that intent, such an appointment

with the proposed limitations would be clearly unlawful. As it was considered highly important that a bishop should be appointed *to* Africa and *for* Africa, the General Conference took the initial steps to so change the third restriction as to allow that body to elect a bishop for any of our foreign missions, limiting his jurisdiction to the same; and in this proposed change the Annual Conferences concurred by more than the required three fourths vote—indeed, the vote was almost, if not quite, unanimous; and the third restriction as thus amended reads thus: “They [the General Conference] shall not change or alter any part or rule of our government so as to do away episcopacy, or destroy the plan of our itinerant general superintendency; but may appoint a missionary bishop for any of our foreign missions, limiting his jurisdiction to the same respectively.” The only conceivable purpose or possible effect of this amendment was to authorize the General Conference in a given case to restrain or limit the *superintendency* of a bishop.

to a particular country or district in that country. The invincible logic of this whole transaction is this: that in the absence of such an amendment of the constitution the General Conference had no power to do even that for which this amendment provides; much less to divide the whole territory of the Church into episcopal districts, and to limit the episcopal labors and administration—the superintendency of the bishops—to these districts respectively.

3. Theirs is an *itinerant* general superintendency. The plan of individual visitation belonged to and was arranged by the bishops. They might divide the work among themselves in such a way as to secure the most convenient and efficient administration of the whole, provided always the itinerant superintendency should be preserved; and for preserving it they were answerable to the General Conference. But they might not localize themselves, nor be localized by the General Conference. No diocese might be created limiting within prescribed bounds the exercise of the authority

of the bishops, nor confining their itinerancy in the discharge of their official duties to particular districts. Moreover, it was distinctly declared that if a bishop should *cease* from traveling at large among the people without the consent of the General Conference he should not exercise his episcopal office thereafter in any degree. This is not to be interpreted as permitting a bishop who is not disabled to cease from traveling at large *with* the consent of the General Conference. The meaning of this particular provision was declared by Bishops Coke and Asbury in their notes on the Discipline, written and published in connection with the Discipline by authority of the General Conference of 1796. Their interpretation is this: "The bishops are obliged to travel till the General Conference pronounces them superannuated; for that is certainly the meaning of the answer to the sixth question of this section." This was the authorized and only interpretation of this provision up to the time of the adoption of the constitution of the General

Conference. If this interpretation be the true one, then indeed the General Conference cannot allow a bishop to exercise his episcopal office except he itinerates. The office is an episcopacy charged with the duties of general superintendency, and the manner of maintaining the *general* superintendency is by itinerating in the supervision; therefore no bishop can, by right, exist in a local or located capacity in the Methodist Episcopal Church; and no change which obstructs them in the discharge of their duty in this respect can be made or allowed by the General Conference.

The case of Bishop Andrew has passed into history, and it is referred to in this connection for the sole reason that the principles declared in the adjudication of that case so fully sustain the views just taken. The preamble and resolution adopted by the General Conference of 1844 are as follows; namely,

“*Whereas*, The Discipline of our Church forbids the doing any thing calculated to destroy our itinerant general superintendency; and,

“*Whereas*, Bishop Andrew has become connected with slavery by marriage or otherwise; and this act having drawn after it circumstances which in the estimation of the General Conference will greatly embarrass the exercise of his office as an itinerant general superintendent, if not in some places prevent it entirely; therefore,

“*Resolved*, That it is the sense of this General Conference that he desist from the exercise of this office so long as the impediment remains.”

This was a judicial proceeding, and may therefore be taken as a precedent settling the *law* of the case by the highest authority known in the jurisprudence of the Methodist Episcopal Church. This judicial action shows that the commandment is exceeding broad; that the third restriction not only forbids any act which at one blow would destroy our itinerant general superintendency, but it also forbids, and with equal authority, any act *tending to such* a result; thus giving heed to a well known prin-

ciple, that the General Conference may not, by indirection and by gradual approaches, destroy a system which it may not destroy at one stroke by positive and direct action to that intent; that the thin end of the wedge may not be entered where the thick end may not follow. Moreover, it shows not only that the General Conference may not itself do any thing to destroy the itinerant general superintendency, but that it may not allow a bishop of the Church to do any thing to embarrass him in his office or limit the sphere of his episcopal labors and administration. It could not be alleged in the case of Bishop Andrew that there were no sections of the Church or groups of Conferences in which he could still render acceptable service as a bishop. On the contrary, it was notorious that to a portion of the Church his acceptability had been by no means impaired. But it was alleged, as the ground of this action against him, that there were *some* places where he could not go as a bishop because of his connection with slavery,

so that, if he should continue a superintendent at all, his labors and administration as such must, of necessity, be restricted to certain localities or districts of the Church; a result which the General Conference, in view of the third restrictive article, did not believe itself at liberty to tolerate, much less to authorize; and because of this constitutional provision he was required to desist wholly from the exercise of his episcopal office until the impediment to his service as an itinerant general superintendent should be removed.

4. Moreover, this itinerant general superintendency was to be maintained and perpetuated according to a *plan* already existing and well defined. This word "plan" found in the third restrictive article is significant and important. It shows that no loose or uncertain notions ruled the hour, but that the convention of the elders of the Church, sitting as a General Conference in 1808, was acting deliberately and for a purpose. They did not propose to subject any vital or important feature of the then ex-

isting plan of superintendency to the caprice, nor even to the best considered and most deliberately formed judgment, of a mere majority of the delegated General Conference, but they did propose that any proposition to modify or change it in any essential or important respect should receive a vote of *two thirds* of the General Conference, and also a vote of *three fourths* of all the members of the several Annual Conferences. This very term "plan" denotes a system sketched or defined, a scheme devised, a mode of action or of procedure expressed in words, or embodied in well-understood and established usages—as the plan of a treaty, the plan of a constitution, the plan of a government. And that there should be no doubt or uncertainty as the character of the "plan" to be conserved and perpetuated, it is spoken of as *the* plan of *our* itinerant general superintendency. It really seems that this form of expression is so definite, and narrows the matter down to so fine a point, as to leave no room for cavil or doubt. It was not enough to

require the delegated General Conference to keep up *a* plan of *an* itinerant general superintendency, but it was required to perpetuate *the* plan of *our* itinerant general superintendency. These definitive terms and this form of expression certainly do away with all ground of dispute in relation to the kind of superintendency to be maintained. It is that system in its completeness which belonged to the Church and was in operation when the constitution was adopted. It was the superintendency which these men had created, which they believed in and loved, and under whose administration the Church they had planted had so wonderfully multiplied and grown—just this in every element of its being which was enshrined in the constitution of the Church.

The entire structure of our government has been framed in harmony with this plan of our itinerant general superintendency. The government so framed has its departments and rules, its functions and powers, no one of

which may be altered or changed by the General Conference so as to do away episcopacy, or relieve the bishops of the Church from the duty and responsibility of faithfully executing "The Plan of our Itinerant General Superintendency."

CHAPTER III.

THE ELECTION OF PRESIDING ELDERS.

THE proposition to elect the presiding elders by the Annual Conferences, instead of their being chosen and appointed by the bishop, stands very nearly related to the foregoing discussion. In considering this proposition two questions are worthy of very careful attention :

1. Has the General Conference authority to make the presiding elders elective by the Annual Conferences? and

2. Is this change in the method of appointing the presiding elders expedient.

The answer to the first question should be first determined, for if the General Conference has no authority to make the change then it may not make it, however desirable it may seem in itself considered. If in considering this question, however, it should be determined

that the General Conference is quite competent to make the change without reference to the concurring vote of the members of the Annual Conferences, there would still remain the very important question of the propriety and expediency of such change in the mode of choosing the presiding elders.

In this chapter it is proposed to consider only the first of these questions: Has the General Conference *authority* to so change the Discipline as to make the presiding elders elective by the Annual Conferences?

This is not a new question in our Church. It has been discussed in our Church papers, it has been agitated in the Annual Conferences, and in some form or other has been considered repeatedly by the General Conference; no changes in this regard have been made; the presiding elders are chosen and appointed as they have been from the beginning.

The proposition to elect the presiding elders by the Annual Conferences has assumed various phases, and these do not all agree among

themselves. The following are some of the plans which have been suggested:

1. To leave the bishop to determine, as now, the number of presiding elders which, in his judgment, will be needed to superintend the work for the year, and then let the Annual Conferences respectively elect the required number, leaving the bishop to appoint them to the districts.

2. Another plan which has been proposed is the same as the foregoing, except in this: that the bishop shall nominate to the Conference a given number of men, somewhat in excess of the number needed, and from among these nominees the Conference shall elect the number required, and then those elected shall be appointed to the districts by the bishop.

3. And still another plan has been proposed which if carried out would give to the Annual Conferences respectively the right to nominate by ballot the presiding elders needed, giving to the bishop the right to refuse to appoint the person nominated in any given case, for

reasons satisfactory to himself; in which case the Conference shall nominate another in his stead, and so on till the number wanted be obtained, allowing the bishop to appoint the men so chosen to the districts according to his judgment. While this plan proposed simply to *nominate* the presiding elders, it was in fact a plan to *elect* them, giving the bishop authority to veto the action of the Conference.

These various propositions were usually accompanied by an additional provision giving to the presiding elders so chosen co-ordinate authority with the bishop in making the appointments of the preachers; which co-ordination has been presented in three different aspects or after three different forms of action. One was to give to a majority of the presiding elders in any Conference the right to veto the action of the bishop; another was to give the bishop the right to veto the action of the presiding elders; the one giving to the bishop authority to appoint the preachers subject to the approval of the presiding elders, the other

giving to the presiding elders the authority to appoint the preachers subject to the approval of the bishop. And still another plan was to constitute the bishop and the presiding elders a stationing committee, giving to this committee authority by joint action to fix the appointments of the preachers.

In searching for the true meaning and intent of the third restrictive article, and especially in an inquiry concerning its relation to the mode of choosing and appointing presiding elders, if we were shut up to the mere phraseology of the rule itself we might possibly find it difficult to ascertain the exact scope and limit of the law, and especially so if the terms employed should be found to be at all indefinite or ambiguous. In this case, however, circumstances, and history contemporaneous with the adoption of the constitution, will aid us in our interpretation.

In order to understand the case fully, it should be borne in mind that it was proposed to preserve three things sacred and inviolable in adopting the constitution for a delegated

General Conference—the doctrines of the Church, the government of the Church, and the General Rules of the United Societies.

To secure these ends, and to preserve, strengthen, and perpetuate the union of the Connection, the committee of fourteen members, two from each Conference, after the maturest deliberation, submitted in their report to the General Conference of 1808 a constitution for the creation and government of a delegated General Conference substantially as it is found in the Discipline of this day; and conspicuous among those provisions, which were not changed by the Conference one jot or tittle, stands the third restrictive article. As this is the only restriction relating to the form of government, it is fair to presume that this particular article was framed with the deliberate purpose of preserving sacred and inviolable the government of the Church. After the report of the committee had been received, and had been under consideration for a day, it was laid on the table for a declared purpose, which pur

pose is thus stated in the Journal of the Conference; namely, "Moved by Ezekiel Cooper and seconded by Joshua Wells, to postpone the present question to make room for the consideration of a new resolution as preparatory to the minds of the brethren to determine on the present subject. Carried." The Journal then proceeds thus: "Moved by Ezekiel Cooper and seconded by Joshua Wells, the following resolution; namely,

"Resolved, That in the fifth section of the Discipline, after the question, 'By whom shall the presiding elders be chosen?' the answer shall be, 'Ans. 1st. Each Annual Conference respectively, without debate, shall annually choose by ballot its own presiding elders.'"

This resolution, providing for an elective presiding eldership, was debated throughout two days, and on being put to vote was lost by a decided majority voting against it.

After the defeat of this measure for an elective presiding eldership, the first item in the report of the committee, which item provided

that thereafter the General Conference should be a delegated body, was itself defeated by a majority of seven.

The defeat of this proposition produced serious dissatisfaction on the part of the preachers from the distant Conferences, on account of the great advantage every way which the then existing plan gave to the preachers and Conferences situated in the region round about where the General Conference held its sessions. At the very time this action was taken, defeating the plan for a delegated General Conference, the members of the Philadelphia and Baltimore Conferences constituted a majority of the General Conference. When this action had been taken several preachers from the more remote Conferences withdrew, and made their arrangements to return home. From this purpose they were, however, at length, and with much difficulty, dissuaded; and in the course of a few days the matter was resumed, not by taking up the report of the committee, the first and funda-

mental item of which had been defeated, but by individual members of the General Conference moving the adoption of its items severally, until the *whole* was adopted substantially in the same form as it had been reported by the committee, and with a marvelous unanimity. No change whatever was made or proposed in relation to any one of the restrictive articles, but they were adopted and incorporated into the organic law of the delegated General Conference in the exact form and language in which they were at first reported.

The value of this piece of history in this connection is obvious, as it determines beyond any reasonable doubt the exact relation which the third restrictive article sustains to the question of the power of a delegated General Conference to authorize the election of presiding elders by the Annual Conferences.

Ezekiel Cooper, who had long favored the election of presiding elders by the Annual Conferences, in moving this resolution gave, as a special reason for introducing it at this partic-

ular stage of the proceedings, that its determination was important *then*, "*as preparatory to the minds of the brethren to determine on the present subject.*" What subject, pray? Evidently some subject contained in the report then under consideration. And what particular part or provision of that report could have any possible bearing on the matter of the election of presiding elders by the Annual Conferences? Most obviously, only the third restrictive article. It was doubtless perceived that to adopt this restriction, so long as the duty of the bishops to choose and appoint the presiding elders constituted a part and parcel of the plan of our itinerant general superintendency, would put it out of the power of a delegated General Conference thereafter to make such a change in the *plan* without the concurrence of the Annual Conferences; and it was for this reason that it became so important, to the satisfaction of the minds of the brethren desiring such change, that this question should be settled *before* this restrictive article should become

operative as a fundamental law of the General Conference. If the authority to choose and appoint the presiding elders should be transferred from the bishops to the Annual Conferences, then it would no longer constitute any part of the plan of our itinerant general superintendency, and would not be shielded by this restriction; while, on the other hand, if the duty of choosing the presiding elders should continue to be a part of the plan of our superintendency until the proposed restriction became operative, then this particular duty of the general superintendency would be embodied in the constitution, and must remain unchanged and unchangeable, except by the concurring action of the General and Annual Conferences. There is no ground for a reasonable doubt that such was the judgment of the men who framed the organic law of the General Conference.

Moreover, this action of the General Conference, with its attending circumstances and history, shows most conclusively the truth of

what was mentioned in a former chapter, that the plan of our itinerant general superintendency, which the third restriction was framed to conserve and perpetuate, is to be found in the duties of the bishops as they were prescribed and authorized in the Discipline and established usages of the Church, in such form as they were understood and in operation in 1808. The matter of choosing and appointing the presiding elders was only one of several duties enjoined upon the bishops, all of which stood on the same foundation, and in similar relations to the plan of our itinerant general superintendency, and it is fair to conclude, therefore, that the third restrictive article was adopted for the purpose of placing the then existing plan of superintendency beyond the control of a mere majority of the General Conference, and of reserving to the preachers in the several Annual Conferences, as the constituency of the General Conference, and as the source of all its authority, the right of being consulted concerning any proposed changes in

the plan, and of consenting thereto before they should be accomplished.

All this, and much more in the same line, may be very naturally and properly inferred from the official record of the General Conference of 1808. And that no violence is done to the record by this interpretation, and, indeed, that it is the only true interpretation, is plentifully confirmed by the testimony of the now sainted Bishop McKendree, who was himself a member of the General Conference of 1808, and was also one of the committee of fourteen which framed and reported the constitution of which the third restrictive article is a part, and who was elected and ordained a bishop at this same General Conference.

His words are these (I quote from the *Life and Times of McKendree*, by Bishop Paine, of the Methodist Episcopal Church, South, vol. ii, pp. 367, 368): "When the report of the committee which was appointed to draw up a constitution was before the General Conference, a member moved the postponement of

that subject for the express purpose of bringing in a motion to authorize the Annual Conferences to elect the presiding elders. It was done; and that body, which had as much right to introduce the proposed alteration as they had to form the constitution, took up the proposition, amply discussed it, and *rejected* it. The friends of the proposed measure thought the constitution would put it out of the power of the delegated General Conference to effect the desired change, and therefore proposed to make the alteration before the constitution was ratified. But the preachers preferred the old plan, and therefore rejected the motion. After twenty years' experience, and with the constitution fully before them, they refused to invest the Annual Conferences with power to elect the presiding elders, and at the moment of constituting the delegated General Conference deliberately confirmed it and continued it in the general superintendents, with whom it had been intrusted from the beginning. The presiding elders never were elected by the preachers,

either in their Annual or General Conference capacity, but were from the commencement chosen by the general superintendents, with the consent of the preachers collectively, and this rule was ratified and confirmed by the same authority that constituted the delegated General Conference. Now, as the bishops do not derive this power from the delegated General Conference, but from the preachers collectively, the delegated body can have no authority to take it from them. This can be effected by none but the body from which they received it."

It will thus be seen that the official records of the General Conference of 1808, and the more amplified, definite, and complete statement of Bishop McKendree, whose opportunity to know all the facts in the case, as well as his high Christian character, entitle his account to the fullest belief, are in the completest accord, and are absolutely conclusive as to the intent and meaning of the third restrictive article in its relation to the right of a delegated General

Conference to authorize the Annual Conferences to elect the presiding elders. The men of 1808 who enacted this restriction did so believing that it would, and intending that it should, prohibit the delegated General Conference from attempting to authorize or empower the Annual Conferences to elect the presiding elders.

In 1812 and again in 1816 the same subject was introduced, but met with no better success than in 1808.

In 1820 the subject was again introduced by a motion to so change the Discipline that the answer to the question, "By whom are the presiding elders to be chosen?" should read, "By the Annual Conference." After considerable debate this motion was laid on the table. The next day it was taken up and discussed, and the day following it was laid on the table till the next morning. At the same time the following resolution was offered; namely, "*Resolved*, That the bishop or president of each Annual Conference shall ascertain the

number of presiding elders wanted, and shall nominate three times the number; out of which nomination the Conference shall, without debate, elect the presiding elders." This resolution was also laid on the table till the next day. In due time the subject was taken from the table, and after considerable discussion it was again laid on the table.

At this stage of the proceedings it was "moved that three of the members who desire an election of presiding elders, and an equal number of those who are opposed to any change of our present plan, be appointed a committee to confer with the bishops and bishop-elect upon that subject, and report whether any, and, if any, what, alteration might be made to conciliate the wishes of the brethren on this subject, and report the next day." The next day the committee reported, and the Conference adopted the following resolutions; namely,

Resolved, That whenever in any Annual Conference there shall be a vacancy or vacancies in the office of presiding elder in

consequence of his period of service of four years having expired, or the bishop wishing to remove any presiding elder, or by death, resignation, or otherwise, the bishop or president of the Conference, having ascertained the number wanted from any of these causes, shall nominate three times the number, out of which the Conference shall elect by ballot without debate the number wanted; provided, when there is more than one wanted not more three at a time shall be nominated, nor more than one at a time elected; provided, also, that in the case of any vacancy or vacancies in the office of presiding elder in the interval of any Annual Conference the bishop shall have authority to fill said vacancy or vacancies until the next ensuing Annual Conference.

“*Resolved*, That the presiding elders be and are hereby made the advisory council of the bishop or president of the Conference in stationing the preachers.”

These were called *compromise* resolutions, inasmuch as they did not propose all that was

desired on the part of those in favor of an elective presiding eldership; and yet they conceded more than those opposed to the measure deemed desirable. So there were concessions from both sides. Those in favor of electing presiding elders preferred this to nothing, while on the other hand there were men who consented to this plan as it did, in effect, still leave the selection of the presiding elders to the bishop, as no one was eligible to election whom he did not nominate; and having nominated three for a vacancy the Conference was obliged to elect one of these three nominees, and the presiding elders thus chosen, though an advisory council of the bishop, were to have no authority in fixing their own appointments nor the appointments of the other preachers.

Dr. Emory (afterward Bishop Emory), who was of the committee which reported these resolutions, and who was one of the most earnest as well as one of the most able advocates of an elective presiding eldership, speaking of

the scope and significance of these resolutions, says:

“We are aware, indeed, that many will be surprised that those who wished any change could have been contented with so trifling a modification of the existing order of things as was to be effected by these resolutions. For you will remark that the right of nomination was reserved to the bishops, and *that* a nomination so very circumscribed, out of which the Conferences were obliged to select, but also, that after such selection the whole control of the administration would still have been in the hands of the bishops; because it was in their power still, at any time after the Annual Conference, if circumstances in their judgment required it, to remove any presiding elder, and to fill the vacancy occasioned by such removal until the ensuing Annual Conference.” See *Life of Emory*, p. 155.

Indeed, it was held by some that this provision did not really interfere with the duty enjoined on the bishops to choose the presiding

elders, inasmuch as no one could be elected by the Conference whom the bishop did not name for the office, and that in this way and to this extent the bishop would in fact choose the presiding elders; and that such a mode of selection would not therefore conflict with the established plan of our itinerant general superintendency. And it was on this ground that Bishop George held that this measure was not in violation of the constitution. In writing to Bishop McKendree on this subject he says: "Had the resolutions given the power to the Annual Conferences to elect at pleasure, or nominate indefinitely to this mode of obtaining presiding elders, my opinion would have been that such a mode of proceeding would have been an unconstitutional transfer of power. But when the bishop has the right of nomination, and the Annual Conference the right to sanction that nomination, I cannot comprehend any radical change in the government." See *Life and Times of McKendree*, by Bishop Paine, vol. ii, p. 382.

At the same time there were others of the opinion that even this very moderate measure was, nevertheless, in complete violation of the third restrictive article; that it did infract the plan of our superintendency; holding that according to that plan the authority to choose and appoint the presiding elders must remain in the episcopacy of the Church, absolute and entire, until otherwise provided by the concurrent action of the General and Annual Conferences. This was the opinion of all the bishops at that time except Bishop George, as it was also the opinion of the ablest men of the Church outside of the episcopacy. Conspicuous among these was Joshua Soule, who drafted the constitution creating a delegated General Conference and prescribing and limiting the scope of its powers, and who therefore may well be supposed to understand the purpose of the instrument and the significance of its language. He had been elected to the office of a bishop by the General Conference of 1820 before these compromise resolutions were

adopted. After their adoption he communicated to the General Conference his judgment that the resolutions were in conflict with the organic law of the Church, and that he must therefore decline the office to which he had been chosen. He thereupon tendered his resignation, and it was accepted. After this proceeding the Conference, without rescinding the resolutions, suspended them for four years, or until the meeting of the next General Conference. This would afford time for mature consideration of the objections made to these resolutions on the ground of their alleged unconstitutionality, and also afford an opportunity to consult the Annual Conferences on the subject.

Concerning this proceeding, and especially concerning the suspension of these resolutions, Bishop McKendree, in a communication addressed to the several Annual Conferences, says: "Many of the preachers who voted in favor of the above-mentioned resolutions at the last General Conference saw that they had exceeded the bounds of the restrictions under

which they acted, and they suspended the operation of the resolutions for four years." See *Life and Times of McKendree*, by Bishop Paine, vol. i, pp. 455, 456.

In the judgment of Bishop McKendree, and in the judgment of many other great and good men, this action was clearly unconstitutional, and if allowed to stand would establish a precedent which might lead not only to the utter subversion of our Church economy, but to the overthrow of the rights of the ministry and of the membership of the Church, which another of the restrictions was framed to conserve and protect. Concerning this particular measure it was argued, with force, that if the General Conference could go thus far certainly it might go further and take away the right or authority to nominate presiding elders likewise, and thereby introduce presiding elders into their office independently of the bishop's appointment, nomination, or control, and in the issue destroy our itinerant episcopal form of government. It was further argued, and with equal force, that

“the authority that can take away one part of the executive power from the bishops may take away another, and another, and another, until the episcopacy is done away and the plan of our itinerant general superintendency entirely destroyed.”

After setting forth somewhat at length his reasons for believing that the suspended resolutions were in their spirit and purpose in conflict with the constitution, and conceded a principle destructive of the limitations and restrictions imposed on a delegated General Conference, Bishop McKendree then adds in his Journal a statement of his purpose in laying the subject before the Annual Conferences, thus: “. . . intending if a majority of the Annual Conferences was of different opinion to submit to their judgment as a legal decision, and upon their authority admit, recommend, and act according to the provisions of those resolutions; but, in the event that my opinion should be confirmed, to advise the Conferences to recommend their adoption by the ensuing

General Conference, and thereby introduce them conformably to the constitution." "The address," continues the bishop, "was first presented to those Conferences most inimical to the proposed change, and it was satisfactorily ascertained that seven of the twelve Conferences judged the suspended resolutions unconstitutional; and yet, for peace' sake, although they were not considered by them an improvement, they authorized the ensuing General Conference, as far as they could do so, to adopt them without alteration. But the five other Conferences, in which the most steady friends and most powerful advocates of the proposed change were found, refused to act on the address, and thereby prevented its adoption in a constitutional way, and of course set in for another vigorous contest at the next General Conference." See *Life and Times of McKendree*, by Bishop Paine, vol. i, pp. 439, 440.

It is very plain that throughout this unpleasant controversy Bishop McKendree was not

seeking to maintain the authority of the episcopacy to choose the presiding elders, else he would not have used his great influence, in an effort as persistent as it was earnest, to persuade the Annual Conferences to aid in giving legal force to the resolutions authorizing the Annual Conferences to choose them; but he believed, and his conviction was deep and abiding, that the change contended for was subversive of the constitution, and if successful might be made a precedent for a most fearful train of revolutionary measures.

In order to a proper understanding of the action of the General Conference of 1824 on this subject, it must be borne in mind that by a rule of that body it was necessary that any important measure in order to its passage must be sustained in three several votes. Though this rule of parliamentary proceeding does not appear in the Journal of the General Conference, yet I have the authority of Bishop Paine, who was the chairman of the committee having the matter in charge, that such was the rule,

and any one reading the Journal will see that the Conference acted in harmony with such a rule. Having premised this, I will now say that :

In the General Conference of 1824, the suspended resolutions being under consideration, the following preamble and resolution were offered and sustained ; namely,

“ *Whereas*, a majority of the Annual Conferences have judged the resolutions making the presiding elders elective, and which were passed and then suspended at the last General Conference, unconstitutional ; therefore,

“ *Resolved*, That the said resolutions are not of authority, and shall not be carried into effect.”

At a later stage of the proceedings, and near the close of the Conference, a motion was made to suspend the rules, so as to take up the resolution which had been sustained once or twice already, according to the Journal, but the motion was lost. Afterward it was claimed by the minority that if the members of the Gen-

eral Conference who were absent when the vote on the foregoing resolution was taken had been present, and had all voted with the minority against the resolution, it would not have been carried, and that therefore the vote by which the resolution had been sustained did not necessarily express with certainty the judgment of the Conference on the subject; whereupon the rules were suspended to allow an action by which the suspended resolutions were referred to the next General Conference as unfinished business.

In 1828 the suspended resolutions came before the General Conference in a report from the committee on "unfinished business," when the whole matter was disposed of by adopting the following resolution; namely,

"Resolved, That the resolutions commonly called the suspended resolutions, rendering the presiding elders elective, etc., and which were referred to this Conference by the last General Conference as unfinished business, and reported

to us at this Conference, be and the same are hereby rescinded and made void."

Thus closes the history of the only resolutions ever adopted by the General Conference providing in any manner, or to any extent, for the election of presiding elders by the Annual Conferences—resolutions which left the right of nomination in the bishops, and required the Conference in every case to elect one of the three nominated, and then left the entire administration within the authority of the bishops, where it had been from the beginning; resolutions which, nevertheless, were suspended by the same body which adopted them, and for the reason, as stated by Bishop McKendree, that many who had voted for them saw afterward that they had transcended the bounds of the restrictions; resolutions which were afterward solemnly adjudged and declared by a majority of the Annual Conferences to be unconstitutional, and then by the next succeeding General Conference were declared to be of no authority, and that they should not be carried

into effect, because of their unconstitutionality ; and finally, by the second General Conference after the one by which they were adopted and then suspended, they were absolutely rescinded and declared null and void.

Now from all this it would seem that if any question relating to the constitutional powers and prerogatives of the delegated General Conference can be settled by the action of our ecclesiastical tribunals, then it has been plentifully determined that the delegated General Conference may not of its own motion and by its sole action authorize the Annual Conferences to elect the presiding elders.

The conclusion of the whole matter is just this ; nothing less, nothing more, nothing different : The General Conference has no right to authorize or empower an Annual Conference to elect the presiding elders ; nor has it the right to give to the presiding elders co-ordinate power with the bishops in making the appointments, nor to make them and the bishops a committee to station the preachers. The as-

sumption of such authority is forbidden by the third restrictive article, and would divest the episcopacy of an important element of its power to fulfill its duties as they are prescribed and enjoined in

“THE PLAN OF OUR ITINERANT GENERAL
SUPERINTENDENCY.”

THE END.

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